



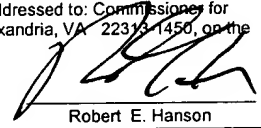
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May 6, 2005

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
May 6, 2005	
Date	Robert E. Hanson

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: SN 09/818,921 "FERTILE TRANSGENIC CORN PLANTS" – Ronald C.
Lundquist, et al.;
Our Ref.. DEKM:047USD5; Client Ref. 51209 US 25

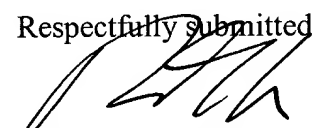
Commissioner:

Enclosed for filing in the above-referenced patent application is:

1. An Amendment And Request for Reconsideration Under Under 37 C.F.R. §1.111;
2. A Terminal Disclaimer;
3. A check in the amount of \$130.00, the required fee for the terminal disclaimer;
4. An Interview Summary; and
5. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted or should any additional fees be required under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEKM:047USD5.

Respectfully submitted,


Robert E. Hanson
Reg. No. 42,628

REH/vv
Enclosure
25532676.1 / 10201586



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ronald C. Lundquist *et al.*

Serial No.: 09/818,921

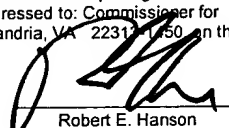
Filed: March 27, 2001

For: FERTILE TRANSGENIC CORN PLANTS

Group Art Unit: 1638

Examiner: Ann R. Kubelik

Atty. Dkt. No.: DEKM:047USD5

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May 6, 2005	
Date	Robert E. Hanson

INTERVIEW SUMMARY

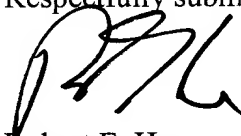
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On February 1, 2005, Examiner Kubelik called Applicants' undersigned representative with Proposed Examiner's Amendments to correct various typographical or form issues in order to prevent the need for withdrawal from appeal. The amendments discussed are in the attached draft document. Applicants' representative agreed to review the draft claims and provide authorization for their entry assuming the corrections were appropriate. No agreement was immediately reached.

No fees are believed due in connection with the filing of the instant paper. However, should any such fees become due under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the instant response, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEKM:047USD5.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Hanson', is written over the typed name.

Robert E. Hanson
Reg. No. 42,628
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
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Date: May 6, 2005



Patent Technology Center 1600

Facsimile Transmission

To:	Name:	Robert Hanson
	Company:	
	Fax Number:	512-536-4598
	Voice Phone:	
From:	Name:	Anne Kubelik
	Official Fax Number:	(703) 872-9306
	Official After Final Fax Number:	(703) 872-9307
	Voice Phone:	571-272-0801

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes:

Date and time of transmission: Wednesday, February 02, 2005 5:16:38 PM
Number of pages including this cover sheet: 04

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PROPOSED Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with *** on ***.

IN THE CLAIMS:

In claim 18, line 2, "the DH1" was replaced with --a truncated--.

In claim 20, in line 1, "19" was replaced with --11-- and in line 3, "of claim 11" was deleted.

In claim 25, line 1 " , 11, 16 or 17" was replaced with --or 11--.

In claim 26, in line 1, --sequence-- was inserted after "DNA" and in line 2, "of claim 10" was deleted.

IN THE TITLE:

METHOD OF PREPARING INSECT RESISTANT FERTILE TRANSGENIC
CORN PLANTS BY MICROPROJECTILE BOMBARDMENT

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IN THE ABSTRACT:

METHOD OF PREPARING Fertile transgenic Zea mays (corn) plants which stably express ~~recombinant DNA which is heritable~~ are provided wherein said DNA ~~preferably comprises a recombinant gene which encodes~~ encoding a Bacillus thuringiensis endotoxin, so as to impart insect resistance to the fertile transgenic plants. The method comprises bombarding regenerable corn cells with DNA-coated microprojectiles, wherein the DNA is adjusted to be more efficiently expressed in corn than the native B. thuringiensis sequence, and regenerating a fertile transgenic plants from the transformed cells.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne R. Kubelik, whose telephone number is (571) 272-0801. The examiner can normally be reached Monday through Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (571) 272-0804. The central fax number for official correspondence is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables

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applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

Anne R. Kubelik, Ph.D.
February 2, 2005